

First Reading: _____
Second Reading: _____

2016-033
Wallace Braud
District No. 6

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO AMEND CONDITION NO. 2 FROM ORDINANCE NO. 12841 OF PREVIOUS CASE NO. 2014-046 REGARDING SIGNAGE REPLACEMENT AND DESIGN RESTRICTIONS OF PROPERTY LOCATED AT 1349 GUNBARREL ROAD, BEING MORE PARTICULARLY DESCRIBED HEREIN.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to amend Condition No. 2 from Ordinance No. 12841 of previous Case No. 2014-046 regarding signage replacement and design restrictions of property located at 1349 Gunbarrel Road, being more particularly described herein.

Lot 2, Braud Estates on Gunbarrel Road, Plat Book 97, Page 89, ROHC, being the properties described in Deed Book 9138, Page 539, ROHC. Tax Map No. 158L-E-017.01.

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be approved by amending Condition No. 2 on site as follows:

Signs incidental to the permitted Bed and Breakfast use, except one (1) sign shall be permitted. The sign shall be a monument sign only and shall not exceed forty-eight (48) square feet in area. If illuminated, the sign shall be directly lit in such a way that the light source cannot

be seen from any public way or adjoining property. The lighting intensity shall not exceed twenty-five (25) foot-candles at the face of the sign. No flashing or intermittent lights will be permitted.

SECTION 3. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks from and after its passage.

Passed on second and final reading: _____

CHAIRPERSON

APPROVED:____ DISAPPROVED:____

MAYOR

/mem

2016-033 City of Chattanooga
March 14, 2016

RESOLUTION

WHEREAS, Wallace Braud petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga Amending Condition #2 from Ordinance #12841 of Previous Case #2014-046 regarding Signage Replacement & Design Restrictions of property at 1349 Gunbarrel Road.

Lot 2, Braud Estates on Gunbarrel Road, Plat Book 97, Page 89, ROHC, being the properties described in Deed Book 9138, Page 539, ROHC. Tax Map 158L-E-017.01 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on March 14, 2016,

AND WHEREAS, the Planning Commission heard and considered all statements regarding the petition,

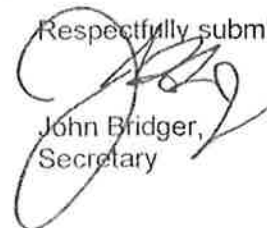
AND WHEREAS, no one was present in opposition to the petition,

AND WHEREAS, the Planning Commission has studied the petition in relation to existing zoning and land use and potential patterns of development,

AND WHEREAS, the Planning Commission has determined that the proposal for location of sign is based on a hardship produced by a condition placed upon it in previous case (Ordinance #12841) and would not set a precedent for future requests.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on March 14, 2016, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved amending condition #2 on site as follows: "Signs incidental to the permitted Bed and Breakfast use, except one (1) sign shall be permitted. The sign shall be a monument sign only and shall not exceed forty-eight (48) square feet in area. If illuminated, the sign shall be directly lit in such a way that the light source cannot be seen from any public way or adjoining property. The lighting intensity shall not exceed twenty-five (25) foot-candles at the face of the sign. No flashing or intermittent lights will be permitted."

Respectfully submitted,



John Bridger,
Secretary

PLANNING COMMISSION CASE REPORT

Case Number: 2016-033

PC Meeting Date: 03-14-16

Applicant Request**Lift Condition #2 on Ordinance #12841**

Property Location:	1349 Gunbarrel Road
Property Owner:	Wallace Braud
Applicant:	Wallace Braud

Project Description

- Proposal: To amend signage placement & design restrictions in condition #2 as to allow a sign on property.

Site Analysis**Site Description**

- Location: Sign to be located within 20' of Gunbarrel Road on flag portion of this flag lot.
- Current Access: Access from Gunbarrel Road.
- Current Development Form: The surrounding developments are single-family dwellings. Across Gunbarrel Road are multiple 3-story apartment buildings and signage on Gunbarrel Road.
- Current Land Uses: The surrounding uses are single family residential. To the east, across Gunbarrel Road, are multi-family apartment units.

Zoning History

- The site is currently zoned R-4 Special Zone.
- The site was rezoned from R-1 Residential Zone to R-4 Special Zone with 3 conditions in 2014. (Ordinance #12841).
- Condition 2 reads, *"Signs incidental to the permitted Bed and Breakfast use, except one (1) sign shall be permitted, sign shall be set back ten (10) feet from any property line. The sign shall be a monument sign only and shall not exceed forty-eight (48) square feet in areas. If illuminated, the sign shall be directly lit in such a way that the light source cannot be seen from any public way or adjoining property. The lighting intensity shall not exceed twenty-five (25) foot-candles at the face of the sign. No flashing or intermittent lights will be permitted."*
- The properties to the west, north, and to the immediate east are zoned R-1 Residential Zone. The property to the east of the flag portion of the lot and across Gunbarrel Road is R-3 Residential Zone. The property to the south was zoned R-4 Special Zone as part of Ordinance #12841.

Plans/Policies/Regulations

- There is no current adopted land use plan for this area.

Key Findings

- There is another monument sign located 250' down Gunbarrel Road for the "Carriage Parc Apartments."
- The proposed structure does raise concerns regarding location, lighting, or height.
- The proposal for location of sign is based on a hardship produced by a condition placed upon it in previous case (Ordinance #12841) and would not set a precedent for future requests.
- The site-triangle requirements from Chattanooga's Department of Transportation would still need to be met.

Staff Recommendation

Approve amending condition #2 on site as follows:

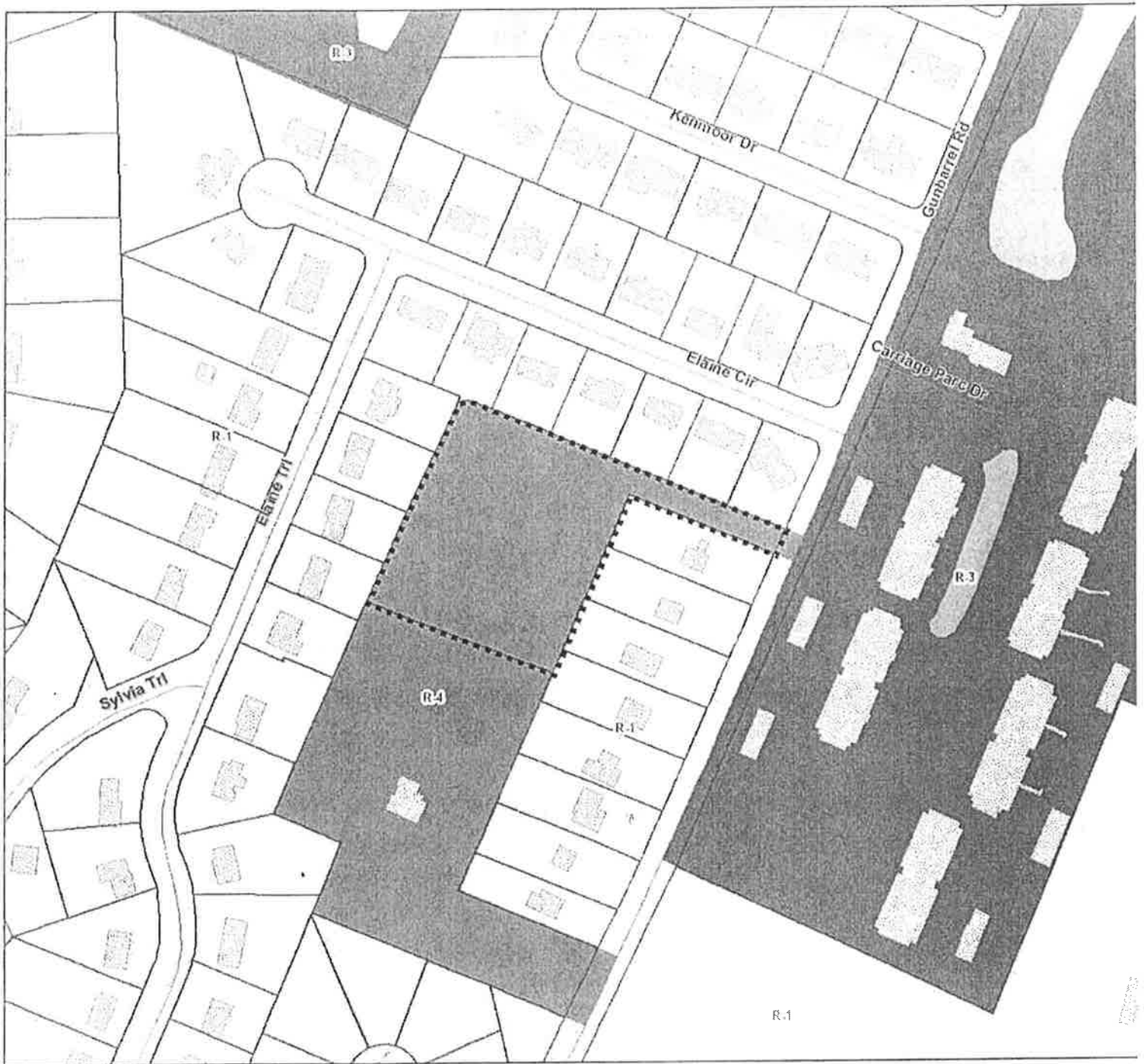
"Signs incidental to the permitted Bed and Breakfast use, except one (1) sign shall be permitted. The sign shall be a monument sign only and shall not exceed forty-eight (48) square feet in area. If illuminated, the sign shall be directly lit in such a way that the light source cannot be seen from any public way or adjoining

PLANNING COMMISSION CASE REPORT

property. The lighting intensity shall not exceed twenty-five (25) foot-candles at the face of the sign. No flashing or intermittent lights will be permitted."

LIFT/AMEND CONDITIONS APPLICATION FORM

CASE NUMBER:	2016-033	Date Submitted: 1-22-2016
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)		
1 Applicant Request		
Conditions	Description: Amend Condition	
	Resolution/Ordinance Number: 12841 Condition # 2	
	Previous Case Number: 2014-046	
2 Property Information		
Property Address:	1349 Gunbarrel Road	
Property Tax Map Number(s):	158L-E-017.01	
3 Proposed Development		
Reason for Request and/or Proposed Use:	To amend signage placement & design restrictions	
4 Site Characteristics		
Current Zoning:	R-4	
Current Use:	Construction of Bed & Breakfast	
Adjacent Uses:	R-1	
5 Applicant Information		
All communication will be with the Applicant. If the applicant is not the property owner, the RPA requires a letter from the property owner(s) confirming that the applicant has permission to file this application on his/her behalf.		
Name: Wallace Braud	Address: 1329 Gunbarrel Road	
Check one:	<input checked="" type="checkbox"/> I am the property owner	<input type="checkbox"/> I am not the property owner
City: Chattanooga	State: TN	Zip Code: 37421
Phone 1: 423-400-4177	Phone 2: 423-827-4711	Phone 3: _____
		Fax: _____
6 Property Owner Information (if not applicant)		
Name: Same	Phone: _____	
Address: _____		
Office Use Only:		
Planning District: 11	Neighborhood: CNAC, BEBC, FOEB, Audobon Neighborhood	
Hamilton Co. Comm. District: 8	Chatt. Council District: 6	Other Municipality: _____
Staff Rec: _____	PC Action/Date: _____	Legislative Action/Date/Ordinance: _____
Checklist		
<input checked="" type="checkbox"/> Application Complete	<input checked="" type="checkbox"/> Ownership Verification	<input checked="" type="checkbox"/> Map of Proposed Zoning Area with dimensions
<input checked="" type="checkbox"/> Site Plan, if required	<input checked="" type="checkbox"/> Total Acres to be considered: 0.35	<input checked="" type="checkbox"/> Deeds <input checked="" type="checkbox"/> Plats, if applicable
Deed Book(s): 9138-539		
Plat Book/Page: 97-89	<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs: 1
<input checked="" type="checkbox"/> Filing Fee: 150.00	<input checked="" type="checkbox"/> Cash	<input checked="" type="checkbox"/> Check
		Check Number: 1105
Planning Commission meeting date: 3-14-2016	Application processed by: Marcia Parker	



2016-033 Amend Conditions

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2016-033: Approve

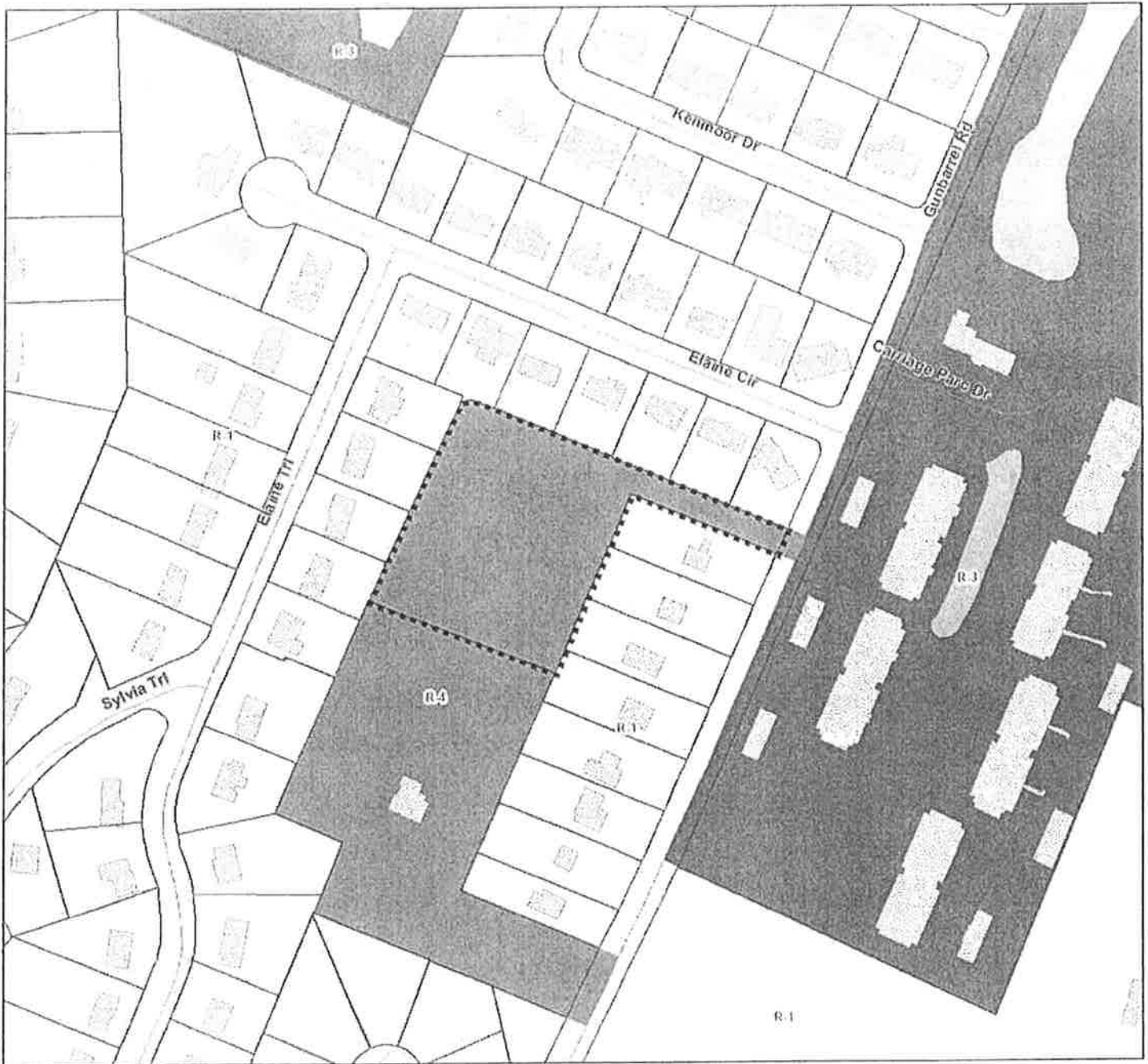


200 ft



Chattanooga Hamilton County Regional Planning Agency





2016-033 Amend Conditions



Chattanooga Hamilton County Regional Planning Agency



200 ft

RPA

RECEIVED

JAN 22 2015

City of Hamilton County
Regional Planning Agency
Landscape Services

215'
TREE OR SHRUB SHALL NOT BE LOCATED
WITHIN DISTINGUISHED EASEMENTS

10' UTILITY AND COMMUNICATIONS EASEMENT

Proposed Sign Placement

8'x
TYPE C SIGN

(4) PC

(22) PC

4 SHRUBS REQ.

22 SHRUBS OR
8 TREE REQ.
(OR COMBINATION OF)



ASA
ARCHITECTURAL SERVICES, INC.
1000 W. 10TH AVE., SUITE 100
DENVER, CO 80202
TEL: 303.733.1100
WWW.ASA-ARCHITECTS.COM

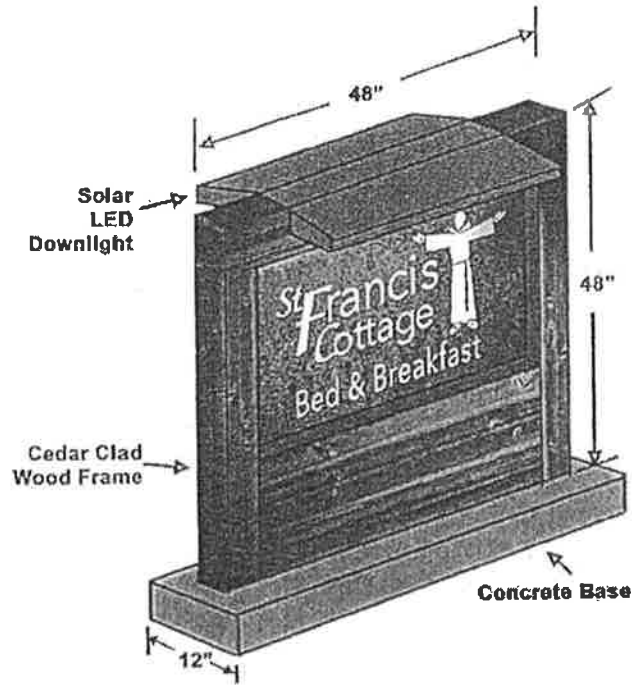
ST. FRANCIS
BED & BREAKFAST
ENTRANCE EXHIBIT

NO.	DATE	DESCRIPTION	BY	CHKD.
1	12/15/14	ISSUED FOR PERMIT	ASA	
2	12/15/14	REVISIONS	ASA	
3	12/15/14	REVISIONS	ASA	
4	12/15/14	REVISIONS	ASA	
5	12/15/14	REVISIONS	ASA	
6	12/15/14	REVISIONS	ASA	
7	12/15/14	REVISIONS	ASA	
8	12/15/14	REVISIONS	ASA	
9	12/15/14	REVISIONS	ASA	
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99	12/15/14	REVISIONS	ASA	
100	12/15/14	REVISIONS	ASA	

ENTRANCE
SIGNAGE

L3.0

2016-033



NOTICE

WHEREAS, petition to amend Ordinance No. 6958, known as the Zoning Ordinance, has been proposed to the City Council of the City of Chattanooga:

1. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petitions to rezone be approved:

2016-023 Wanda Threat. 6420 Shallowford Road, from R-1 Residential Zone to C-5 Neighborhood Commercial Zone.

2016-024 Belle Investment Company, Third Street Partners, and Jimmy & Molly Seal. 1028 and 1042 East 3rd Street and 1039, 1043, and 1047 East 4th Street, from R-4 Special Zone to C-3 Convenience Commercial Zone, subject to certain conditions.

2016-031 Silverdale Baptist Church, Inc. Part of a property located at 2916 Silverdale Road, from R-1 Residential Zone to C-2 Convenience Commercial Zone.

2016-035 Miller Industries Towing Equipment, Inc./Amon A.C. and Doris York. 8534 Ooltewah-Harrison Road and 5226 and 5242 Tracie Lane, from R-1 Residential Zone to M-1 Manufacturing Zone.

2016-036 ALC Holdings, LLC. 1605 and 1691 West 39th Street, 109 Old Mountain Road, and 1690 Silvels Lane, from R-1 Residential Zone, R-2 Residential Zone, and UGC Urban General Commercial Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone.

2016-042 Field, LLC, Gabe Thomas/John and Jennifer Langworthy. 721, 725, and 729 North Market Street, 14, 16, 18, and 20 Peak Street, and 718 Spears Avenue, subject to certain conditions.

2. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petition to rezone be approved for C-5 Neighborhood Commercial Zone and denied for the M-2 Light Industrial Zone:

2016-037 Eric Emery/Tammy Cagle, Greg Brock, and Norma Mahaffey. 5116 and 5120 Highway 58.

3. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following Special Exceptions Permit for a Residential Planning Unit Development be approved:

2016-040 Joseph Ingram/Marcus Jones/Magnolia Investors, LLC/Jack Thompson and Allen Headrick. 604 and 638 Samoyed Trail, 1038 Meroney Street, 1400 Hamilton Avenue, and unnumbered Wert Street.

4. The Chattanooga-Hamilton County Regional Planning Commission has recommended that Condition No. 2 be amended from Ordinance No. 12841 of Previous Case No. 2014-046 regarding Signage Replacement and Design Restrictions for 2016-033 Wallace Braud on property located at 1349 Gunbarrel Road.

The City Council of the City of Chattanooga, Tennessee will hold a public hearing in the Council Assembly Room, City Council Building, 1000 Lindsay Street, Room 101, Tuesday,

April 12, 2016

at 6:00 p.m. for the purpose of hearing any person whose property may be affected by, or who may otherwise be interested in, said amendments.

This the ____ day of _____, 2016.

Nicole Gwyn
Clerk to the City Council